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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVEN MICHAELS, an individual,

Plaintiff,

vs.

CHAD E. NICELY, an individual,

Defendant.

CASE NO.: 2:21-cv-00447-GMN-DJA

**STIPULATION AND ORDER TO
REMAND MATTER TO THE EIGHTH
JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA**

Defendant CHAD E. NICELY (“Defendant”), by and through his counsel of record, Steven G. Knauss, Esq., of the law firm MESSNER REEVES LLP, and Plaintiff DAVEN MICHAELS (“Plaintiff”), by and through his counsel of record, Michael N. Feder, Esq., and Gabriel A. Blumberg, Esq., of the law firm DICKINSON WRIGHT PLLC, hereby stipulate and agree as follows:

1. On February 22, 2021, Plaintiff filed his Complaint against Defendant in the Eighth Judicial District Court, County of Clark, State of Nevada, Case Number **A-21-829823-C**.

2. On March 18, 2021, Defendant removed this matter to this Court from the Eighth Judicial District Court, County of Clark, State of Nevada, where it was pending under Case Number **A-21-829823-C**.

3. Upon discussion between counsel for the parties, the parties hereby agree to remand this matter back to the Eighth Judicial District Court, County of Clark, State of Nevada, under Case Number **A-21-829823-C**.


1 4. It is specifically noted that by entering into this Stipulation, Plaintiff is not conceding
2 that re-removal by Defendant, if the same should occur, is compliant with 28 U.S.C. §§ 1332, 1441
3 and/or 1446, and/or proper under those statutory provisions, and Plaintiff reserves any and all
4 objections in this regard.

5 5. It is further specifically noted that by entering into this Stipulation, Defendant is not
6 conceding that removal of this matter to this Court was not compliant with 28 U.S.C. §§ 1332, 1441
7 and 1446, and/or improper under those statutory provisions, nor is Defendant waiving any right
8 regarding potential re-removal of this matter to this Court, and Defendant reserves any and all rights
9 and/or objections in this regard.

10 6. The parties further stipulate and agree that each party shall bear its own attorneys' fees
11 and costs incurred with respect to and/or as a result of the removal and subsequent remand of this
12 action pursuant to this Stipulation and Order.

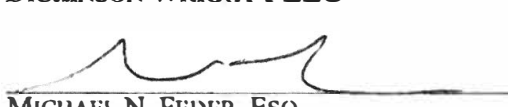
13 DATED this 26th day of March, 2021.

14 MESSNER ELEVES LLP

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16 STEVEN G. KNAUSS, ESQ.
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20 *Attorney for Defendant*

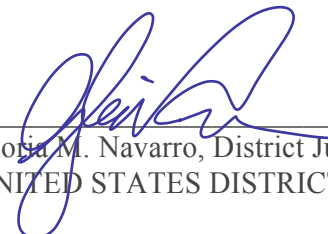
DATED this 26th day of March, 2021.

DICKINSON WRIGHT PLLC

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22 MICHAEL N. FEDER, ESQ.
23 Nevada Bar No. 7332
24 GABRIEL A. BLUMBERG, ESQ.
25 Nevada Bar No. 12332
26 3883 Howard Hughes Parkway, Suite 800
27 Las Vegas, Nevada 89169
28 *Attorneys for Plaintiff*

IT IS SO ORDERED.

Dated this 26 day of March, 2021


Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT